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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,722	06/23/2003	David Francis Fleming	17919 (20958-01027)	8749

7590 04/22/2005

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EXAMINER

NASRI, JAVAID H

ART UNIT PAPER NUMBER

2839

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/601,722	Applicant(s) FLEMING ET AL.	
	Examiner Javaid Nasri	Art Unit 2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15, 16, 18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15, 16, 18 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claims is withdrawn in view of the newly discovered reference(s). Rejections based on the newly cited reference(s) follow.

Claim Objections

2. Claim 5 is objected to because of the following informalities:

- a) In claim 5, “said retention finger” lacks antecedent base.

Note: These are few examples only. Applicant is required to check all the claims and correct them accordingly.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the

- a) Triangular shaped lances, per claim 20,

Must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure

must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-13, 15, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson et al (2,947,964).

Johnson et al discloses, **for claim 1**, a body (37) with a top surface, a bottom surface, and side edges (see figure 14), the body including opposing retention fingers (45, 46) formed integral with the body, each of the retention fingers adapted to secure the body to a single surface of an insulative carrier (35) when the pair of retention fingers are inserted through the carrier (see col. 4, lines 8-15), **for claims 2 and 12**, wire retainer (43, 44), **for claims 3 and 13**, mating portion (see figure 10), **for claim 4**, faston type mating portion, **for claim 5**, lances extending

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perpendicular to a surface of the carrier, **for claim 6**, the carrier includes a first surface and a second surface and first and second holes (36) extending there between, each of the holes receiving a respective one of the opposing retention fingers, **for claim 7**, the retention fingers are stamped from the body and bent to engage the single surface of the carrier, **for claim 8**, the retention fingers are configured in a staple-like manner (see figure 10), **for claim 9**, the retention fingers are arcuate (see figure 10), **for claim 10**, the retention fingers are bent to engage the single surface of the carrier after being inserted through the carrier, **for claim 11**, at least one contact having a body (37) with a top surface, a bottom surface, and side edges, the body including at least a pair of lances (45, 46) formed integral with the body, the lances configured to secure the body to an insulative carrier (35), the carrier including a first surface and a second surface, the bottom surface of the body provided on the first surface of the carrier wherein the lances are crimped in a staple like manner to the second surface (see figure 10), **for claim 15**, the lances are stamped from the body in faced relation with each other, the lances are bent substantially perpendicular to the bottom surface, **for claim 16**, the carrier has at least a pair of holes (36) from the first surface to the second surface, each of the lances extend through one of the holes to engage the second surface of the carrier (see figure 10), **for claim 18**, the lances extend from the side edges of the body, the lances are bent to engage the second surface.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al.

Johnson et al discloses all the limitations of claim 11, as shown above,

However, Johnson et al does not disclose:

- a) Triangular shaped lances. It would have been an obvious matter of design choice for Johnson et al to have triangular shaped lances, since such a modification would have involved a mere change in the size or shape of a component. A change in size or shape is generally recognized as being within the level of ordinary skill in the art. In re Rose, 105 USPQ 237 (CCPA 1955).

8. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Engel (2,869,107).

Engel discloses, **for claim 1**, a body (12) with a top surface, a bottom surface, and side edges (see figure 4), the body including opposing retention fingers (30, 31) formed integral with the body, each of the retention fingers adapted to secure the body to a single surface of an insulative carrier (10) when the pair of retention fingers are inserted through the carrier (see figure 5).

9. Claims 1 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Mathews (3,492,628).

Mathews discloses, **for claim 1**, a body (11) with a top surface, a bottom surface, and side edges (see figure 1), the body including opposing retention fingers (14) formed integral with the body, each of the retention fingers adapted to secure the body to a single surface of an insulative carrier (15) when the pair of retention fingers are inserted through the carrier (see figures 1 and 2), **for claim 11**, at least one contact having a body (11) with a top surface, a bottom surface, and side

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edges, the body including at least a pair of lances (14) formed integral with the body, the lances configured to secure the body to an insulative carrier (15), the carrier including a first surface and a second surface, the bottom surface of the body provided on the first surface of the carrier wherein the lances are crimped in a staple like manner to the second surface (see figure 2).

Additional Prior Art

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U. S. Patents 2,445,587, 4,299,436, 3,910,663, 6,193,567 and 5,064,379.

Response to Arguments

11. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.


Contact

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 571 272 2095. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on 571 272 2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Javaid Nasri
Primary Examiner
Art Unit 2839

JN
Jhn
April 19, 2005